

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHARLES A. NIEDERSTADT

Plaintiff,

v.

Civ. No. 13-283 JAP/SCY

FNU WOLF, *et al.*

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION AND DISMISSING CASE**

THIS MATTER is before the Court on Defendants Lackey and McGarry's Martinez Report and Motion for Summary Judgment. *Doc. 66*. On December 2, 2014, Magistrate Judge Steven C. Yarbrough filed a Proposed Findings and Recommended Disposition ("PFRD") advising that the Court grant Defendants' motion. *Doc. 73*. Plaintiff has filed no objections to the PFRD, thereby waiving his right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the record, the Court concurs with the Magistrate Judge's findings and recommendations.

IT IS THEREFORE ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*doc. 73*) is ADOPTED.
2. Plaintiff's claims are dismissed with prejudice.

A handwritten signature in black ink, reading "James A. Parker". The signature is fluid and cursive, with a large, looped initial "J".

SENIOR UNITED STATES DISTRICT JUDGE